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ARCHWAY BROADWAY LOAN SPE, LLC  
7

8 **UNITED STATES BANKRUPTCY COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **LOS ANGELES DIVISION**  
11

12 In re  
13 SEATON INVESTMENTS, LLC, *et al.*,  
14 Debtors and Debtors-in-  
15 Possession.

16 Affects:

- 17 ☐ All Debtors  
18 ☐ Seaton Investments, LLC  
☐ Colyton Investments, LLC  
19 ☐ Broadway Avenue Investments, LLC  
☐ SLA Investments, LLC  
20 ☐ Negev Investments, LLC  
☐ Alan Gomperts  
21 ☒ Daniel Halevy  
22 ☒ Susan Halevy  
23  
24

Lead Case No. 2:24-bk-12079-VZ

Jointly Administered with Case Nos.:

2:24-bk-12080-VZ; 2:24-bk-12081-VZ;  
2:24-bk-12082-VZ; 2:24-bk-12091-VZ;  
2:24-bk-12074-VZ; 2:24-bk-12075-VZ; and  
2:24-bk-12076-VZ

Chapter 11

**REQUEST FOR JUDICIAL NOTICE IN  
SUPPORT OF ARCHWAY BROADWAY  
LOAN SPE, LLC'S MOTION FOR  
RELIEF FROM AUTOMATIC STAY TO  
PROCEED IN NON-BANKRUPTCY  
FORUM**

Date: January 7, 2025  
Time: 10:30 a.m.  
Crtrm.: 1368  
255 E. Temple Street  
Los Angeles, CA 90012

Hon. Vincent P. Zurzolo

**TO THE HONORABLE VINCENT P. ZURZOLO, UNITED STATES  
BANKRUPTCY JUDGE, PARTIES IN INTEREST, AND THEIR COUNSEL:**

Archway Broadway Loan SPE, LLC, a Delaware limited liability company, successor in interest to Archway Real Estate Income Fund I REIT, LLC (“Archway”), requests that the Court take judicial notice of the following adjudicative facts pursuant to Rule 201 of the Federal Rules of Evidence:

1. The fact that on September 25, 2023, an Affidavit of Death was recorded in the Los Angeles County Recorder’s Office as Document Number 20230643326. Khorshidi Declaration at Exh. 4.
2. The fact that on February 21, 2024, Mr. Daniel Halevy commenced a probate action on behalf of Mr. David Halevy (“Decedent”) and his estate (“Decedent’s Estate”) in Los Angeles Superior Court as case number 24STPB01963 (“Probate Action”).
3. The fact that on May 30, 2024, Archway filed its creditor’s claim (“Creditor’s Claim”) in an amount not less than \$18,327,141.08 in the Probate Action. Khorshidi Declaration at Exh. 8.
4. The fact that on October 14, 2024, Archway filed its adversary complaint (“Adversary Complaint”) (Adv. Dkt. 1) against Ms. Halevy, individually and in her capacity as Trustee of the Trust; 341 South Cannon LLC, a California limited liability company (“Cannon LLC”); Mr. Halevy, in his capacity as Personal Representative of the Decedent’s Estate, and not in his individual capacity (collectively, the “Defendants”). The Adversary Complaint was filed in the lead Bankruptcy Case, commencing adversary proceeding number 2:24-ap-01241-VZ (“Adversary Proceeding”).
5. The fact that on November 14, 2024, Defendants, through their proposed counsel, filed a Motion to Dismiss the Complaint (“Motion to Dismiss”) (Adv. Dkt. 9), seeking to dismiss the Complaint in its entirety without leave to amend.

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- 1           6.       The fact that Archway opposed (Adv. Dkt. 12), and the Defendants filed a reply
- 2                       (Adv. Dkt. 13).
- 3           7.       The fact that on December 12, 2024, the Court entered its order abstaining under 28
- 4                       U.S.C. § 1334(c)(1) permissive abstention to permit Archway to proceed in a non-
- 5                       bankruptcy forum.
- 6           8.       The fact that a grant deed was recorded on September 26, 2023, in the Los Angeles
- 7                       County Recorder's Office, as document number 20230646027, transferring the 341
- 8                       S. Canon Drive property to 341 South Cannon LLC. Khorshidi Declaration at
- 9                       Exh. 6.
- 10          9.       The fact that a Deed of Trust was recorded on September 26, 2023, in the Los
- 11                       Angeles County Recorder's Office, as document number 20230646028, concerning
- 12                       the 341 S. Canon Drive property. Khorshidi Declaration at Exh. 7.

13 DATED: December 17, 2024

FRANDZEL ROBINS BLOOM & CSATO, L.C.  
MICHAEL GERARD FLETCHER  
GERRICK M. WARRINGTON

16 By:           /s/ Gerrick M. Warrington          

17 GERRICK M. WARRINGTON

18 Attorneys for Secured Creditor

19 ARCHWAY BROADWAY LOAN SPE, LLC